

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 7/22/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JANET JACKSON,	:	
	:	
Plaintiff,	:	1:21-cv-978-GHW
	:	
-v -	:	<u>ORDER</u>
	:	
KILOLO KIJAKAZI, <i>Acting Commissioner of Social</i>	:	
<i>Security,</i>	:	
	:	
Defendant.	:	
	:	
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GREGORY H. WOODS, United States District Judge:		

On July 7, 2022, the Honorable Stewart D. Aaron issued a Report and Recommendation (“R&R”) recommending that the Court grant Plaintiff’s motion for judgment on the pleadings, deny the Commissioner’s cross-motion, and remand this action for further administrative proceedings. Dkt. No. 30 at 31. The R&R describes in detail the facts and procedural history of this case.

A district court reviewing a magistrate judge’s report and recommendation “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Parties may raise specific, written objections to the report and recommendation within fourteen days of receiving a copy of the report. *Id.*; *see also* FED. R. CIV. P. 72(b)(2). The Court reviews for clear error those parts of the report and recommendation to which no party has timely objected. 28 U.S.C. § 636(b)(1)(A); *Lewis v. Zon*, 573 F. Supp. 2d 804, 811 (S.D.N.Y. 2008).

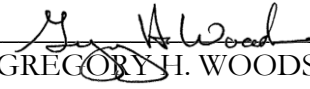
No objection to the R&R was submitted within the fourteen-day window. The Court has reviewed the R&R for clear error and finds none. *See Braunstein v. Barber*, No. 06 Civ. 5978 (CS) (GAY), 2009 WL 1542707, at *1 (S.D.N.Y. June 2, 2009) (explaining that a “district court may adopt those portions of a report and recommendation to which no objections have been made, as long as

no clear error is apparent from the face of the record.”). Having reviewed the record, the parties’ submissions in connection with the motions, and the R&R, the Court agrees with Judge Aaron’s conclusions and adopts the R&R in its entirety. For the reasons articulated in the R&R, Plaintiff’s motion for judgment on the pleadings, Dkt. No. 21, is GRANTED and the Commissioner’s cross-motion for judgment on the pleadings, Dkt. No. 27, is DENIED. This case is remanded to the Commissioner of Social Security for further administrative proceedings consistent with this opinion.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 21 and 27 and to close this case.

SO ORDERED.

Dated: July 22, 2022
New York, New York



GREGORY H. WOODS
United States District Judge